

Exhibit 3



BROWN

Nondiscrimination and Anti-Harassment Policy

POLICY NO.	ISSUE DATE	EFFECTIVE DATE
01.45.03	September 2, 2016	November 9, 2021

1.0 Policy Purpose

The purpose of this policy is to affirm Brown University's ("the University") commitment to creating an environment that is free of Discrimination and Harassment based on a person's membership in a Protected Class and to ensure compliance with applicable federal and state laws that prohibit such conduct.

2.0 To Whom the Policy Applies

This policy applies broadly to the University community including all faculty, staff, students, and other Covered Persons (as defined in Section 4.0).

This policy also applies to acts committed by or against any of the aforementioned individuals when the conduct occurs under the following conditions:

- On Brown University premises;
- In the context of Brown University employment, education, or research program or activity, including but not limited to Brown University-sponsored study abroad, work-related or academic meeting, research, internship, mentorship, summer session, or other affiliated programs or premises; or
- Outside the context of Brown University employment or a Brown University education, research program or activity, but has an adverse effect on any Brown University employment, education, or research program or activity.

Allegations of gender-based Discrimination or Harassment are governed by the University's Sexual and Gender-Based Harassment, Sexual Assault, Intimate Partner Violence, and Stalking Policy (<https://www.brown.edu/about/administration/title-ix/Sexual%20and%20Gender-Based%20Harassment%2C%20Sexual%20Assault%2C%20Interpersonal%20Violence%2C%20and%20Stalking%20Policy>) and the Sexual and Gender-Based Misconduct Policy (<https://www.brown.edu/about/administration/title-ix/policies/sexual-and-gender-based-misconduct-policy>) .

Requests for reasonable accommodations related to disability are governed by the University's Employment Accommodations for Persons with Disabilities Policy (<https://policy.brown.edu/policy/employment-accommodations-persons-disabilities-policy>) for employees or the Student Accessibility Services Student Handbook (<https://www.brown.edu/campus-life/support/accessibility-services/seas-student-handbook>) for students.

3.0 Policy Statement

Brown University's mission "to serve the community, the nation, and the world by discovering, communicating, and preserving knowledge and understanding in a spirit of free inquiry, and by educating and preparing students to discharge the offices of life with usefulness and reputation" compels the University to create and maintain an environment that is free of any form of Discrimination or Harassment that is based upon a person's race, color, religion, sex, age, national or ethnic origin, disability, veteran status, sexual orientation, gender identity, gender expression, or any other characteristic protected under applicable law and caste, which is protected under The Corporation of Brown University's Policy Statement on Equal Opportunity, Nondiscrimination and Affirmative Action (<https://www.brown.edu/about/administration/corporation/corporation-policy-statement-equal-opportunity-nondiscrimination-and-affirmative-action>) . The University prohibits Discrimination, Harassment, or Retaliation against individuals who report Discrimination or Harassment.

The Corporation of Brown University's Policy Statement on Equal Opportunity, Nondiscrimination and Affirmative Action (<https://www.brown.edu/about/administration/corporation/corporation-policy-statement-equal-opportunity-nondiscrimination-and-affirmative-action>) delegates the authority to implement the Policy Statement to the Office of Institutional Equity and Diversity ("OIED").

3.1 Academic Freedom

This policy is not intended to inhibit or restrict free expression or exchange of ideas. The University's commitment to academic freedom can be found in full in the Faculty Rules & Regulations, Part 5, Section 12.I.C (<https://www.brown.edu/about/administration/faculty-governance/sites/facgovernance/files/Faculty%20Rules%209-9-20%20version%2017.1.pdf>) .

Speech or expression protected by the University's statement on academic freedom and freedom of expression are not subject to sanction under these procedures, unless they rise to the level of unlawful Harassment or Discrimination.

3.2 Education

Educational efforts are essential to the establishment of a campus environment that is free of unlawful Discrimination and Harassment. There are at least four goals to be achieved through education:

- Educating individuals about the conduct that is prohibited;
- Educating faculty, staff, students and other Covered Persons on their rights;
- Informing administrators about the appropriate way to address complaints of violations of this policy; and
- Helping educate the faculty, staff and students about the issues addressed by this policy.

Educational and Training Modules for faculty, staff, students and other Covered Persons will be available through OIED, University Human Resources, and the Office of Campus Life.

4.0 Definitions

For the purpose of this policy, the terms below have the following definitions:

Complainant: An individual who brings forward a complaint of an alleged violation of this policy. In certain instances, the University may bring forward a complaint.

Confidentiality: Confidentiality means that designated campus or community professionals are prohibited from revealing identifiable information shared by an individual to any other person without express permission of the individual, or as otherwise permitted or required by law. Those campus professionals who maintain information confidentially are:

- Health care providers in Brown University Health Services including EMTs,
- Clinicians in Counseling and Psychological Services (CAPS),
- Sexual Harassment and Assault Resources and Education (SHARE) Advocate(s) in BWell Health Promotion,
- Ordained clergy who have privileged Confidentiality that is recognized by Rhode Island state law.

In addition, the Faculty/Staff Assistance Program (<https://www.brown.edu/about/administration/human-resources/benefits/health-and-wellbeing/facultystaff-assistance-program>) is a confidential resource available to employees.

These individuals are prohibited from breaking Confidentiality unless (i.) given permission to do so by the person who disclosed the information; (ii.) there is an imminent threat of harm to self or others; (iii.) the conduct involves suspected abuse of a minor under the age of 18; or (iv.) as otherwise required or permitted by law or court order.

Covered Persons:

- **Applicants:** Individuals who have expressed an interest in applying or have submitted an application for employment or enrollment as a student.
- **Employees:** Individuals employed by Brown University, including faculty, affiliates, visiting faculty, postdoctoral fellows, and all staff (including all exempt and non-exempt, bargaining unit, and senior administrative positions), as well as those physicians and health scientists who are not employed by Brown University but have Brown University faculty, affiliate, postdoctoral, or house staff appointments for the purpose of teaching and/or research in the Division of Biology and Medicine.
- **Students:** Individuals enrolled in the College, the Graduate School, the Warren Alpert Medical School, the School of Public Health, the School of Engineering, and/or the School of Professional Studies.
- **Invitees:** Visitors or guests of Brown University.
- **Contractors:** Contractors are defined as independent contractors, vendors, or other third parties contractually obligated to perform services for Brown University.

Discrimination: Discrimination means unequal treatment of someone because of their Protected Class category or caste. Discrimination is a violation of this policy when it results in an adverse action or negatively impacts the terms and conditions of an individual's employment, education, or denies or limits participation in programs, services, or activities.

False Complaint: Knowingly and deliberately filing a False Complaint is a violation of this policy. An individual who is determined to have engaged in such conduct is subject to discipline up to and including termination of employment or expulsion from enrollment. Sanctions administered for filing a false charge does not constitute Retaliation under this policy.

Harassment: Harassment under this policy is considered conduct that is based upon an individual's Protected Class (as defined below) and the conduct is sufficiently severe or pervasive to create a working/educational/living environment that a reasonable person would consider intimidating, hostile, abusive or offensive. A determination of whether conduct is considered hostile is based on the totality of the circumstances of the situation. Isolated incidents or comments (unless extremely serious) will generally not rise to the level of Harassment under this policy. Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets, physical assault or threats, intimidation, ridicule or mockery, offensive objects or images, or interference with work performance.

Privacy: Privacy means that information related to a report or complaint alleging Discrimination and/or Harassment will be treated with the utmost discretion and will be shared only with a limited circle of individuals who "need to know" in order to assist in the review, investigation, and resolution of the matter, and/or other disclosures necessary to fulfill University operations.

Protected Class: Identities that are protected from Discrimination and/or Harassment under applicable laws. Such Protected Classes are race, color, religion, sex, national or ethnic origin, age, disability, veteran status, sexual orientation, gender identity, gender expression, or any other characteristic protected under applicable law.

Reporting Party: Either the Complainant or a third party who has reported a potential violation of this policy.

Respondent: An individual alleged to have violated this policy.

Retaliation: Retaliation is any action, statement, or behavior meant as reprisal or retribution against an individual in response to the individual's good-faith report or participation in a proceeding related to this policy. Any retaliatory action taken directly or indirectly against a person who has made a report, filed a complaint, or participated in an investigation is prohibited.

5.0 Responsibilities

All individuals to whom this policy applies are responsible for becoming familiar with and following this policy and the Discrimination and Harassment Complaint Resolution Standard Operating Procedures. University managers and supervisors are responsible for promoting the understanding of this policy and for taking appropriate steps to help ensure compliance with it.

Supervisors are required to report promptly to the contact listed in Section 8.3 all instances or allegations of prohibited conduct that are disclosed to, observed by, or otherwise known to them.

Duty to Cooperate: All individuals to whom this policy applies have a duty to fully cooperate in a process conducted by OIED. Failure to cooperate for an interview, refusing to provide relevant information and documentation as requested or actively choosing not to participate in any other component of the process as requested is considered a breach of responsibility and may result in formal discipline, up to and including termination of employment, suspension of enrollment, or association with the University. A Respondent's failure to cooperate, participate, or offer a written or verbal statement in a formal proceeding may result in the investigation proceeding and an outcome being reached based solely on the available information found through the fact-finding process.

Duty to Report: All members of the campus community are encouraged to report instances of Discrimination, Harassment, or Retaliation that they in good faith believe may have occurred to OIED. All employees designated as managers or supervisors in a management position, Vice Presidents, Deans, and Department Chairs and professional staff working in the Office of Student Conduct and Community Standards and University Human Resources have a duty to promptly report incidents or knowledge of Discrimination or Harassment to OIED. Failure to make such a report may result in discipline up to and including termination or removal from the position of authority.

6.0 Consequences for Violating this Policy

Failure to comply with this and related policies is subject to disciplinary action, up to and including suspension without pay, expulsion, or termination of employment or association with the University, in accordance with applicable (e.g., staff, faculty, student) disciplinary procedures.

7.0 Related Information

Brown University is a community in which employees and students are encouraged to share campus concerns with University leadership. Individuals seeking further guidance on filing a Discrimination or Harassment complaint should refer to the Discrimination and Harassment Complaint Resolution Standard Operating Procedures.

Additionally, Brown's Anonymous Reporting Hotline (<https://compliance.brown.edu/reporting-concerns>) allows anonymous and confidential reporting on matters of concern online or by phone (877-318-9184).

The following information complements and supplements this document. The information is intended to help explain this policy and is not an all-inclusive list of policies, procedures, laws and requirements.

7.1 Related Policies:

- Brown University Code of Conduct (<https://policy.brown.edu/policy/code-conduct>)
- Code of Student Conduct (<https://www.brown.edu/offices/student-conduct/code>)
- Employment Accommodations for Persons with Disabilities Policy (<https://policy.brown.edu/policy/employment-accommodations-persons-disabilities-policy>)
- Sexual and Gender-Based Misconduct Policy (<https://www.brown.edu/about/administration/title-ix/policies/sexual-and-gender-based-misconduct-policy>)
- Sexual and Gender-Based Harassment, Sexual Assault, Intimate Partner Violence (<https://www.brown.edu/about/administration/title-ix/Sexual%20and%20Gender-Based%20Harassment%2C%20Sexual%20Assault%2C%20Interpersonal%20Violence%2C%20and%20Stalking%20Policy>) and Stalking Policy (<https://www.brown.edu/about/administration/title-ix/Sexual%20and%20Gender-Based%20Harassment%2C%20Sexual%20Assault%2C%20Interpersonal%20Violence%2C%20and%20Stalking%20Policy>)
- Leave of Absence Policy (<https://policy.brown.edu/policy/leaves-absence-policy>)
- Non-Fraternization Policy (<https://policy.brown.edu/policy/non-fraternization>)
- Non-Retaliation Policy (<https://policy.brown.edu/policy/non-retaliation>)
- Corporation's Policy Statement on Equal Opportunity, Nondiscrimination and Affirmative Action (<https://www.brown.edu/about/administration/corporation/corporation-policy-statement-equal-opportunity-nondiscrimination-and-affirmative-action>)
- Student Accessibility Services Handbook (<https://www.brown.edu/campus-life/support/accessibility-services/seas-student-handbook>)

7.2 Related Procedures:

- Student Conduct Procedures (<https://www.brown.edu/offices/student-conduct/student-conduct/process>)
- Discrimination and Harassment Complaint Resolution Standard Operating Procedures (<https://www.brown.edu/about/administration/institutional-diversity/incident-reporting/nondiscrimination-anti-harassment-policy/discrimination-and-harassment-complaint>)
- Title IX Grievance Procedure (<https://www.brown.edu/about/administration/title-ix/Title%20IX%20grievance%20Procedure>)

7.3 Related Forms:

- OIED Intake Form (<https://www.brown.edu/about/administration/institutional-diversity/incident-reporting>)

7.4 Frequently Asked Questions (FAQs):

What if the situation that I'm experiencing doesn't seem serious enough to warrant a complaint?

Except for situations where an employee has a duty to report under Section 5.0 of this policy, even if a situation does not seem serious enough to warrant filing a formal complaint, you should consider discussing the matter with OIED. Merely discussing the matter does not mean that a complaint or investigation will necessarily result, but it may be important for the University to address a situation before it rises to the level of a policy violation.

What if I am concerned about Retaliation for filing a complaint?

Concerns about Retaliation are understandable, and the University will take steps to make sure that individuals are not subjected to Retaliation for reporting allegations of Discrimination or Harassment or filing an intake form or complaint with OIED. The University takes complaints of Retaliation seriously and will promptly address Retaliation concerns.

What if I'm unsure about whether what I'm experiencing has anything to do with my membership in a Protected Class?

You are encouraged to contact the OIED to discuss the situation. If the situation does not appear to be related to your membership in a Protected Class, you will be referred to the appropriate resources.

What is the difference between a bias report and a Discrimination/Harassment complaint?

Although Discrimination and Harassment are examples of bias, not all incidents of bias violate the law or Brown University policy. The submission of a bias report enables the University to connect community members who submit a report to resources and support, maintain records of bias incidents, and analyze trends in an effort to continually improve our campus climate. The submission of a Discrimination/Harassment complaint is a formal step in the University's Discrimination and Harassment Complaint Resolution Standard Operating Procedures, which are intended to provide a fair, prompt, and reliable mechanism for determining whether Brown University's Discrimination and Harassment policies have been violated and, if so, to provide appropriate resolution. A staff member in OIED would provide those who may seek to file a complaint with details on the steps in the process.

What if I want to file a report, but not file a complaint?

If you would like to file a report, but not a complaint, you may complete the online bias incident reporting form available at <https://www.brown.edu/about/administration/institutional-diversity/incident-reporting> (<https://www.brown.edu/about/administration/institutional-diversity/incident-reporting>). If you would like to file a complaint and are interested in learning about the resolution processes, you may complete the online intake form available at <https://www.brown.edu/about/administration/institutional-diversity/incident-reporting> (<https://www.brown.edu/about/administration/institutional-diversity/incident-reporting>). The submission of an intake form does not constitute a formal complaint, but rather a preliminary review of a potential Discrimination or Harassment incident.

What if I believe that I am being bullied or harassed but not because of my membership in a Protected Class?

Situations that involve bullying or Harassment not based on a person's membership in a Protected Class should be directed to the Employee and Labor Relations unit in University Human Resources if the Respondent is a faculty or staff member, or the Office of Student Conduct and Community Standards if the Respondent is a student.

Will my complaint be kept confidential?

Conversations with OIED staff about Discrimination or Harassment are private in that information will only be shared with other individuals on a need to know basis and under limited circumstances.

7.5 Other Related Information:

- Title VI of the Civil Rights Act of 1964 (<https://www.dol.gov/agencies/oasam/regulatory/statutes/title-vi-civil-rights-act-of-1964>)
- Title VII of the Civil Rights Act of 1964 (<https://www.dol.gov/agencies/oasam/centers-offices/civil-rights-center/statutes/title-vii-civil-rights-act-of-1964>)
- Equal Pay Act of 1963 (<https://www.dol.gov/agencies/oasam/regulatory/statutes/equal-pay-act>)
- Vietnam Era Veteran's Readjustment Assistance Act of 1974 (<https://www.dol.gov/agencies/ofccp/vevraa/as-amended>)
- Age Discrimination in Employment Act of 1967 (<https://www.eeoc.gov/statutes/age-discrimination-employment-act-1967>)
- Age Discrimination Act 1975 (<https://www.dol.gov/agencies/oasam/regulatory/statutes/age-discrimination-act>)
- Title IX of the Education Amendments of 1972 (<https://www.justice.gov/crt/title-ix-education-amendments-1972>)
- The Rehabilitation Act of 1973 (<https://www.eeoc.gov/statutes/rehabilitation-act-1973>)
- Americans with Disabilities Act (ADA) of 1990 (<https://www.dol.gov/agencies/ofccp/compliance-assistance/ada>)
- Americans with Disabilities Act Amendments Act (ADAAA) of 2008 (<https://www.eeoc.gov/statutes/ada-amendments-act-2008>)
- Federal, State, and Local Law Enforcement Agencies:
 - Rhode Island Commission for Human Rights
Phone: 401-222-2661
 - Equal Employment Opportunity Commission Boston Office
Phone: 1-800-669-4000
 - Office of Civil Rights, Region 1 U.S. Department of Education
Phone: 617-289-0111
 - Providence Police Department
Phone: 401-272-3121
 - Rhode Island Attorney General
Phone: 401-274-4400

8.0 Policy Owner and Contact(s)

8.1 Policy Owner: Vice President for Institutional Equity and Diversity

8.2 Policy Approved by: Vice President for Institutional Equity and Diversity

8.3 Contact Information:

Director of Equal Opportunity and Diversity
Email (<mailto:oied-intake@brown.edu>)
401-863-2216

9.0 Policy History

9.1 Policy Issue Date: September 2, 2016

9.2 Policy Effective Date: November 9, 2021

9.3 Policy Update/Review Summary:

Policy name was updated from Discrimination and Harassment Policy to Nondiscrimination and Anti-Harassment Policy. Previous policy version superseded by this policy:

- Brown University Discrimination and Harassment Policy (OIED), Date: September 2, 2016
- Discrimination and Workplace Harassment 20.072 (UHR), Revision Date: March 12, 2019

Webpage Updated November 2, 2022